

REMARKS:

Claims 1, 6, 8-19, 22-26, 28, 30-41, 43, 44 and 46 are presented for consideration.

Claims 1 and 19, the only independent claims now presented, have been amended to include subject matter from claims 2, 3, 5 and 29.

The Examiner has rejected claims 2, 3, 17, 18, 21 22 and 29 as being indefinite under 35 U.S.C. 112, second paragraph, for claiming the same thing in more than one claim.

Claims 2 and 3 were believe to be sufficiently different to stand together, e.g. "wherein at least the outermost layer of the layer system (4) comprises at least one carbon-containing slide layer" in claim 2 and "wherein the ratio of the layer thickness **d** of the layer system (4) to the structure depth **S** is between 0.05 and 0.9" in claim 3, and the subject matter of both have now been included in the independent claims 1 and 19.

Claims 17 and 18 have been amended so that a "sliding structure" is called for in claim 17 to be generic to the bearings and other possible sliding structures of the invention, and a "working tool" is called for in claim 18 to be generic to the tools of the invention.

Claims 20, 21 and 29 are canceled and clerical corrections have been made in claims 33 and 46.

Accordingly, the claims are all believed to be in proper form.

All of the claims have also been rejected as being obvious from **Goetze** (DE 3634708) taken alone, or in combination with a secondary reference.

In summary, the workpiece of the claimed invention is meant to be a workpiece with a PVD or CVD coated layer system and with a three-dimensional microstructure extending

into the workpiece (former claim 1) with a carbon containing slide layer (old claim 2) with at least one of Me/C, MeC/C, or a-C:H:Si:Me with at least one of the defined metals (old claim 5 or 29) wherein the ratio of layer thickness **d** to the structure depth **S** is between 0.05 and 0.9 (old claim 3). The method claim is meant to follow the same lines, including the limitations: PVD/CVD process, microstructure, carbon containing slide layer, slide layer material(s), ratio **d/S**.

Goetze describes a machine part with recesses, which part is to be galvanically coated with chromium. No PVD or CVD process is disclosed or suggested. Moreover, no slide layer as called for in the subject claims, is disclosed. While **Goetze** does teach a tool which is exposed to sliding friction, this does not automatically comprise a slide layer and certainly not one with the claimed thickness ratio.

Goetze has a hard coating layer furnished with grooves for oil or lubricants. The sliding properties are provided by the lubricant, **NOT** by a slide layer. This, in combination with the further limitations of claims 1 are believed to fully distinguish the invention of **Goetze**, taken alone or in combination with **Massler** (US 6,740,393) or **Sumitomo** (JP 2000-178720).

The skilled artisan would not substitute a layer which is not actually taught by **Goetze**, with a layer from **Massler** which, likewise is not taught in that reference either, to reach the dependent claims that include the slide layer, in any obvious manner.

Massler discloses a cover layer of adamantine carbon but there is no teaching of a slide layer.

Sumitomo discloses a solid lubricant film on a porous primary layer. Since **Goetze** does not actually teach a slide layer in that it uses a lubricant to provide friction reduction,

the claimed invention would not result as an obvious combination of these references.

Accordingly all of the claims are believed to be unobvious over the prior art and, by this amendment, the application and claims are believed to be in condition for allowance.

Favorable action is respectfully requested and Examiner is respectfully invited to contact the undersigned at the telephone number below if any issued remain.

Respectfully submitted,
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